G.R.S. IX-5]

Previous references.
Misc. 2-10-(1-10)

(1924 Miscellaneous)

File No. 21-23
Serial Nos. 1-4

Later references.
Misc. 35-24-1-2

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 4

Part B for May 1924

SUBJECT

Review application of Sri Contractor Narasimhachar praying for reconsideration of Govt. order passed in re the Inam Lands restored to Sri Bhikeshwara Swami temple in Binakanhatti village.

No. 1641 dated 12.5.1924 To the Petitioner

Govt see no good grounds to modify the order already passed.

GENERAL AND REVENUE SECRETARIAT.

(Inuz.)

NOTES.

File No

FILE HEADING

Lease of the inam lands in Sarvamanya Biakanahalli Village, T. Narasipur Taluk, endowed to Sri Bhikshesvara Swami temple.

From

Contractor Narasimhachar.

Review Petition Dated Received 19.7.23.

Diary No.	Enclos	Spare Copies	Serial No.
98	1		1

BRIEF ABSTRACT OF LETTER.

Prays that on a re-consideration of G.O. no 2301-2/Inuz. 2-10 Dy 16-2-1923, the petr may be declared as kadim tenant of the temple lands liable to pay kandayam and water-rate

NOTES AND ORDERS.

To Sarkar, and adds that the sale of these lands may be stayed pending disposal of his review-petition.

Govt. order Sanctioned to be received. gives an account of the facts of the case

Serial No.

The review-petition is duly stamped. The order sought to be reviewed is dated 16-2-23, while the review-petition was received on 19-7-23. It is barred by limitation. It is not known when the S.O. reached the petr. May he be called upon to furnish information on the point?

2 The grounds for review are summarized petition.

Submitted.

20.7.23 - 20/7/23

3 The review application is time barred as it has been presented more than five months after the issue of the original order.

Even on merits, the application appears to be inadmissible as the main point relied upon, namely, the question of the petitioner being treated as a Kadim tenant was already in issue at the time the Govt. order was passed and it was because, the petitioner failed to

General and Revenue Secretariat. | File No. of 19

Serial No.

adduce adequate proof about his being a Kadim tenant that the point was decided against him and it was ordered that the lands might be taken from his possession and leased out to the best advantage of the temple.

(Rev. Secy) 24/7/23

"If possession has not yet been resumed from petr. ask if he has cultivated the lands, his possession may perhaps not be disturbed till he renders the standing crops; and the rent of cultivating the lands not the petr. pays

(Second Member)

627
26.7.23.

5 My opinion on the case was given in case, many on his records seems to me to be. The petr. in his petition says he has not been given an opportunity to explain his case. Does his record show that petr. heard of this or anything was given on to represent his case. I think he ought to be given an opportunity. Ordr. to his record of reasons.

28/7

NOTE—Contn. sheet.

Pending receipt of record, order on petition, his possession of the lands in question may be allowed to be retained

General and Revenue Secretariat. | Irrig. File No. of 19 13

Serial No.

6 Draft

30/7/23

Draft for Sig. to

30.7.23 30/7/23 8 Issue 30/7/23

2 162 pr Enc 2 dt 30.7.23 h
Mr. Mr. Conran
Issues a Stay order pending
final disposal by Govt.
161 Dt 30.7.23 Encl to petrs

3. From, the Irrig. Comr.
Letter no. C.112 Dt 9.6.1924.
Submits the Dy. Comr's. report,
and gives it as his opinion
that orders already passed are
equitable and may be allowed
to stand, as no convincing and
satisfactory proofs have been
adduced by the apltr to warrant
a re-opening of the case.
4) With ref. to the Member's
minute contained in para 5

NOTE.—Contn. sheet.

Serial No.

of the office-note, it is submitted that the petr was given an opportunity to represent his case before the local authorities vide Contractor Narasimhachar's statement before the Amildar Jgs. D, &c.

Submitted
AG 21.4.24 SB 21/4/24

10) Man see flag I also, & ~~brief~~ notes briefly what Alasingachar, the vendor, & Narasimhachar, the vendee of the present petitioner have said.

23.4.24.

11) In his kyphiyat dated 24-11-1898 before the Taluk Amildar, T. Narasipura, Alasingachar says that he purchased these lands from Kadim Hiduvalidars who were in possession long before the lands were granted as inam to the temple, that he has some reddi kangani.

Jg. I)

Serial No

at a cost of 5 to 6 thousand Rupees etc.

(12) In his Kyfiyat before the Amildar dt. 8-9-1910, Narasimhachar while admitting that in 1900, he purchased the Devadaya inam lands of the temple (S. nos. 173, 174 and 175) from the late Alasingachar and his sons along with some private lands, states when asked by the Amildar, that as the lands were not kadim (wet) ones, he was prepared to give a sutta of 2 Pallas per acre, and agrees to pay arrears at the enhanced rate, and adds that

19 D

NOTE—Contn sheet

R. S. III. 2]

Muzrai Secretariat | Muz. File No. of 192

Serial No.

13) Again in his statement dt 18-6-1915, Narasimhachar says that he consented to give 2 pallas of paddy per acre as he was threatened with dispossession of the lands, and that he will pay only concession rate to Sukhi and dry assessment as fixed to the temple as he had sustained loss in re-constructing wadi etc.

14) Attention is respectfully invited to the office-note put up in the Muz. Comr's. office, and the remarks of the H.S. Member when he was ~~in charge of that office~~ Muz: Comr.

Submitted

AH 24.4.24 24/4/24

NOTE—Contn. sheet

WD 0561—GPB—3750—1-8 22

G. R. S. III-2]

Muzrai Secretariat | Muz. File No. 21 of 1923.

Serial No. 15 Submitted with reference to Members orders in para 5 of the notes supra. It will be seen from the above summary of the statements made by Ranasimhachar, the petitioner, and Alasingachar from whom Ranasimhachar purchased the occupancy, that they had an opportunity to establish their Kadim tenancy rights by producing proper ~~Deed~~ evidence. ~~Before~~ The statements were given before the Builder. Reference is also invited to the Builder's report (Pl. y in the vernacular records).

28.4.24. 28.4.1924

Rev. Secy.

29.4.24.

788 / 29.4.24 II Member

(b) I see no good grounds to modify the order already passed in this case. The petitioner may be given an endorsement accordingly.

A copy sent to the Revenue Member with reference to his letter of 9/4/24

NOTE—Contn. sheet

WD 0561—GPB—3750—1-8-22

1/5/24

1/5 5.24.

G. R. S. III 2]

Muzrai Secretariat | Muz. File No. 21 of 1923.

Serial No

17) Dft. endt. Submitted.

AG 2.5.24 BG 2/5/24

18) Issue 3.5.24.

4 To the petitioner Narasimhachar. K.B.W.C. 12.5.24. Informed him that there are no good grounds to modify the order already passed in the case & rejected his review application.

To the Manager Hon 12.5.24

NOTE—Contn. sheet

WD 0561—GPB—3750—1-8 22

Muz 4]

SUBJECT .....

Diary No. of letter replied to _____

Muzrai Secretariat
( )
, the *192*

Date of issue 30-7-23

Signed by D.C. Subbaraya Shetty

Section

File No.

Serial No

No. 162 Enc

To

The Muzr. Comr

Sir,

Adverting to para 2 of G.O. no. 2301-2/Muz. 2-10 dt 16-2-1923 directing that the inam lands enjoyed by Sri Bhiskeswara Swami Temple in Binakanahalli Village, Narasipur Taluk: be leased out

to the best advantage.
I am directed to forward
herewith for an early
report with records
review application No. D.
98 from contractor
Narasimhachar praying
that on a re-consideration
of the foregoing order,
he may be declared
as a Kadim tenant
of the temple lands,
and to request that
pending the receipt
of the connected records and
orders thereon ~~on the petition~~,
the disposal of the
lease of the lands
in question may be

List of enclosures.

Copied by

Examined by

WD 0563—GPB—2,500—27 7-22

G. R. S. G/33]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form

-Rels in al. segnuee.
) [illegible]

No. 3077/27
B(7) Rev. Secretariat

Muz 4]

SUBJECT .....

Diary No. of letter replied to _____

Section

File No.

Serial No.

Muzrai Secretariat

( )

, the 192 .

No. 161

Date of issue 30.7.23

To

Signed by Mr D.C. Subbarayappa

With refence to his review application regd no. 98 praying that on a re-consideration of G.O. no. 2301-2/Muz. 2-10 Dt 16-2-23 he may be declared as kadim tenant of the inam lands

endowed to Sri Bhiksheswara
Swami temple in
Biriakanahalli village,
T. Narasipur Taluk,
Contractor Narasimhachar
is informed that
a report with records
has been called
for from the Asst.
Commr., who has also
been requested to
hold in abeyance,
the disposal of the
case of the Cows
in question pending
consideration of the petition.

By order,

Rev. Secretary

List of enclosures

Copied by

Examined by

WD 0563—GPB—2 500—27 7 22

3205

C 112 of 23-4 [illegible]
re 41 for
file

D 2037

From

A. Chandy, Esquire., B.A.,

Muzrai Commissioner in Mysore,

Bangalore.

Muzr. 21-23-3.

To

K. V. Anantaraman, Esquire., B.A.,

Secretary to the Government of

His Highness the Maharaja of Mysore,

Revenue Department.

Sir,

With reference to your letter No.102 dated 30th July 1923, I have the honor to forward herewith copy of letter C.No.91/23-24 dated 3rd April 1924 together with its enclosures from the Deputy Commissioner, Mysore District, reporting on the petition of ---- contractor Narasimhachar praying that on a reconsideration of the orders passed in Government order No.2501-2/M.F.2-16 dated 16th - February 1923 he may be declared as a Madim tenant of the lands - in Benakanahalli village belonging to Sri Bhikshesvaraswami temple at T. Narsipur.

2. I am of opinion that orders already passed are equitable and may be allowed to stand, as no convincing and satisfactory proofs have been adduced by the appellant to warrant a reopening of the - case.

3. This Office File R. Dis. No.103 of 22-23 is also sent for - reference and kind return.

I have the honor to be,

Sir,

Your most obedient servant,

Muzrai Commissioner.

(absent from Stn)

Letter No.C.91 of 23-24 dated 3rd April 1924 from the Deputy Commissioner, Mysore District to the Muzrai Commissioner in Mysore.

"With reference to your letter No.J.112/23-24 dated 2nd August 1923 directing to hold in abeyance the steps taken for the disposal of the lease of the lands in Chakanahalli village, belonging to the Sri Bhikshesvara Swamy temple in T-Narasipur Taluk, in pursuance of Government order No.R 01-3/Muz.2-10 dated 16th February 1923 and calling for retransmission of the entire records connected with the case, I have the honor to state that as directed, orders were issued on 7th August 1923 to the local authorities to hold in abeyance the sale proceedings in respect of the lease of the aforesaid lands. The connected file of vernacular records received with Nanjangud Sub-Division Officer's memo No.R.H.S.136/20-21 dated 24th March 1924 is submitted herewith as called for. Detailed report relating to this matter has already been submitted to Government with the correspondence ending with this office letter No.A.S.265/15-16/Muz. dated 30th August 1922.

The chief point now urged before Government by the petitioner Narasimhachar is, that he is a "kadeem" tenant in respect of the lands under reference and that the lands should therefore, continue to be in his possession so long as he pays kardayam and water-rate to Government. Taluk Amildar's report No.88 dated 13th March 1924 (enclosed to the file flag A) states clearly that neither the petitioner Narasimhachar nor the previous holders of the lands from whom Narasimhachar got them, are "kadeem" tenants and that the prayer of Narasimhachar is not worthy of acceptance.

The petition addressed to Government by Narasimhachar, and received with your letter under reply is also retransmitted herewith (Flag P.)

"Copy"

Madhavarao

KBR. Muzrai Commissioner. 9.4.924

Muz 4]

SUBJECT .....

Diary No. of letter replied to 2037

Muzrai Secretariat

( )

, the *192*

Date of issue 12-5-24

Signed by M.T. Ramaraya

Section

File No

Serial No.

No. 1641

To

With reference to his review-application regd. no 98 praying that on a re-consideration of G.O. No. 2301-2/Muz. 2-18 dt 16-2-1923 he may be declared as Kadim tenant of the inam lands endowed to Sri Bhiskheswara Swami temple in Biniakonehalli village over in the

To Narasipur Taluk, Cuttack

Narasimhachar is informed that there are no good grounds to modify the order already passed in the case. His review application is accordingly rejected

By order

3.5.24

(Sd.) Rev. Secretary.

2/5/24

Copy to the Mag.

Cmr. with the records received with his letter No. C. 112 dt 9.4.1924.

1642 Encl. Two files & the records

dt 12.5.24

By order

3.5.24

(Sd.) Rev. Secretary

2/5/24

List of enclosures.

Copied by

Examined by

WD 0563—GPB—2,500—27 7 22